IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 26902 of 2005(C)

PETITIONER:

R.DIVAKARAN NAIR,
K.W.A. AND P.W.D. CONTRACTOR, PANAYARAKONAM,
MAKKOLLA, DHANUVACHAPURAM, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.K.L.NARASIMHAN

RESPONDENTS:
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1. KERALA WATER AUTHORITY, REPRESENTED BY
ITS MANAGING DIRECTOR, AJALA BHAVAN,
VELLAYAMBALAM, THIRUVANANTHAPURAM.

2. THE SUPERINTENDING ENGINEER,
P.H.SOUTH CIRCLE, K.W.A. OBSERVATORY HILLS,
THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
WATER SUPPLY DIVISION,
KERALA WATER AUTHORITY, NEYYATTINKARA.

4. THE ASSISTANT EXECUTIVE ENGINEER,
WATER SUPPLY SUB DIVISION, KERALA WATER
AUTHORITY, NEYYATTINKARA.

BY ADV.
SMT.AMBIKA DEVI, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.26902/05

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1: TRUE COPY OF SELECTION NOTICE NO.PHC D2-4134/97/KULATHUMMAL DT. 20.1.2000.

EXT.P2 :TRUE COPY OF THE TENDER SCHEDULE.

EXT.P3 :TRUE COPY OF THE ORDER OF THE CHIEF ENGINEER DT. 17.1.2000.

EXT.P4 : TRUE COPY OF THE AGREEMENT NO.39/99-2000 BETWEEN THE SECOND RESPONDENT AND THE PETITIONER.

EXT.P5 : TRUE COPY OF THE REQUEST FOR EXTENSION OF TIME FOR COMPLETION OF WORK UPTO 31.3.2002.

EXT.P6 TRUE COPY OF THE LETTER DT. 16.7.2003 TO TREAT THE MATERIAL USED FOR MAINTENANCE OF THE WORK AS ISSUE FOR THE WORK.

EXT.P7 TRUE COPY OF THE M.BOOK ENTRY OF THE EXTRA ITEMS DONE.

EXT.P8 TRUE COPY OF THE LIST OF MATERIALS FOR WHICH COST IS RECOVERED.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.26902 of 2005

Dated 16th March, 2007.

J U D G M E N T

The writ petition is filed praying for a direction to the respondents to release the payments due to the petitioner for the work and extra work done in connection with the Accelerated Rural Water Supply Scheme. There is also a prayer for a direction to release certain payments. Since all the prayers are for a writ of mandamus, it is for the petitioner to approach the concerned authority with whom the agreement has been executed and who is to take action in the matter. In the event of such an attempt being made within six weeks from today, the needful action in accordance with law in the matter will be taken to settle the grievance of the petitioner, within three months thereafter.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.